

**quinn emanuel trial lawyers | miami**

2601 S. Bayshore Drive, Suite 1550, Miami, Florida 33133-5417 | TEL (305) 402-4880 FAX (305) 901-2975

WRITER'S EMAIL ADDRESS  
[kirsten.nelson@quinnemanuel.com](mailto:kirsten.nelson@quinnemanuel.com)

March 3, 2025

**VIA ECF**

Hon. Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: United States v. Charlie Javice and Olivier Amar, 23 Cr. 251 (AKH)

Dear Judge Hellerstein:

Charlie Javice respectfully requests a limited recross examination of Leslie Wims Morris. Specifically, Ms. Javice requests the opportunity to recall Ms. Wims Morris to elicit testimony on the following topics.

- ***Ms. Wims Morris testified during Mr. Amar's counsel's cross examination that Ms. Javice requested Mr. Amar be removed as a key employee after he corrected previously reported data.*** During his cross examination of Ms. Wims Morris, co-defendant Olivier Amar elicited testimony directly inculpating Ms. Javice. Specifically, that Mr. Amar was responsible for correcting incorrectly reported data and as a result, Ms. Javice "did not want Mr. Amar to be included as a key employee as part of the deal" with JPMC. 02/27/2025 Trial Tr. 746:16-754:6. This was admitted over Ms. Javice's counsel's objections. 02/27/2025 Trial Tr. 746:16-754:6.
- ***Ms. Wims Morris was prevented from testifying about issues related to falsity and materiality.*** During Ms. Wims Morris's cross-examination, defense counsel was prevented from fully questioning Ms. Wims Morris about JPMC's contract provisions, the existence of a seller's market, goodwill, and Ms. Wims Morris's awareness of Frank's website. 02/27/2025 Trial Tr. 670:14-676:3; 687:9-20; 688:22-689:3; 690:16-18. Ms. Wims Morris testified on direct examination that

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JPMC would not have pursued the deal if it could not market to Frank's customers. 02/27/2025 Trial Tr. 606:12-607:1-9. These topics thus are directly relevant to falsity and materiality of the alleged misrepresentations and were properly within the scope of cross-examination.

Ms. Javice is entitled to meaningfully challenge these assertions on recross-examination to protect her Fifth and Sixth Amendment rights. *Maryland v. Craig*, 497 U.S. 836, 845 (1990). As such, Ms. Javice respectfully requests the opportunity to conduct recross-examination of Ms. Wims Morris to secure her rights to confront witnesses against her and to a fair trial.

Respectfully submitted,

/s/ Kirsten R. Nelson  
Kirsten R. Nelson\* (*pro hac vice*)  
2601 South Bayshore Drive, Suite 1550  
Miami, FL 33133  
Telephone: (305) 402-4880  
kirstennelson@quinnmanuel.com

\* Not admitted in Florida. A member in good standing in Maryland and the District of Columbia.

cc: All Counsel of Record